

1

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

4 TAWFIO SAEED.

5

Petitioner.

— VS.

8 ATTORNEY GENERAL OF THE UNITED
9 STATES, *et al.*,

10 *Respondents.*

Case No. 2:17-cv-00323-RFB-CWH

ORDER

11

12 This immigration habeas matter comes before the Court on petitioner's application (ECF No.
13 1) to proceed *in forma pauperis* and for initial review.

14 Petitioner has not properly commenced the action by submitting a pauper application with all
15 required attachments. Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2, a petitioner must
16 attach both a properly executed financial certificate and an inmate account statement for the past six
17 months. Petitioner attached only a financial certificate. He must attach both financial documents.

18 It does not appear that a dismissal of the current improperly-commenced action without
19 prejudice would cause substantial prejudice. Petitioner is challenging his detention by immigration
20 authorities, and such an action is not subject to a limitation period. This improperly-commenced
21 action therefore will be dismissed without prejudice.

22 IT THEREFORE IS ORDERED that the application (ECF No. 1) to proceed *in forma
23 pauperis* is DENIED and that this action shall be DISMISSED without prejudice.

24 IT FURTHER IS ORDERED that a certificate of appealability is DENIED. Jurists of reason
25 would not find the dismissal of this improperly-commenced action without prejudice to be debatable
26 or wrong, for the reasons discussed herein.

27

28

1 The Clerk of Court shall send petitioner a copy of his papers in this action, along with copies
2 of the forms and instructions for an inmate pauper application and an AO-0242 form for a § 2241
3 petition.

4 The Clerk shall enter final judgment accordingly, dismissing this action without prejudice and
5 closing the case.

6

7 DATED: March 13, 2018.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27



10 RICHARD F. BOULWARE, II
11 UNITED STATES DISTRICT JUDGE